

**UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK**

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GREAT AMERICAN INSURANCE COMPANY	:	
OF NEW YORK and NOVARTIS	:	
PHARMACEUTICALS CORPORATION,	:	CIVIL ACTION NO.:
	:	06-CV-13230
Plaintiffs,	:	
	:	
-against-	:	
	:	
TA OPERATING CORPORATION d/b/a	:	NOTICE OF MOTION
TRAVELCENTERS OF AMERICA,	:	
TRAVELCENTERS OF AMERICA, INC.,	:	
TRAVELCENTERS PROPERTIES, LP, and	:	
NEW PRIME, INC. d/b/a PRIME, INC.	:	
	:	
Defendants.	:	
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PLEASE TAKE NOTICE THAT, upon the annexed Declaration of Edward Farman, and the Exhibits thereto, the accompanying Memorandum of Law, and upon all prior proceedings had herein, defendant, New Prime, Inc., d/b/a Prime, Inc. ("Prime"), through its undersigned counsel, will move this Court before the Honorable William H. Pauley, III, United States District Judge, in the United States Courthouse, 500 Pearl Street, New York, New York 10013, pursuant to Rule 56 of the Federal Rules of Civil Procedure for an Order:

(1) precluding all extrinsic evidence relating to the agreement and relationship between plaintiff, Novartis Pharmaceuticals beyond the four corners of the September 1, 2004 Novartis Pharmaceuticals Corporation.

Dated: September 12, 2008.
New York, NY

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TO: All Counsel